

BAY-DELTA ADVISORY COUNCIL MEETING SUMMARY

Thursday, March 21, 1996 - Beverly Garland Hotel, Sacramento, CA

Welcome and Introductions

The meeting was convened by Sunne McPeak shortly after 9AM. She indicated that Mike Madigan would be arriving shortly. She welcomed BDAC members and thanked those that attended the last BDAC meeting. She indicated she will stop after each point on the agenda to take public comment and comments are welcome as long as they relate to the matter being discussed.

General Overview of Process

Lester Snow reviewed the process of narrowing down the alternatives from a set of 20 to a set of 10. Lester says we're at a point in the program where we have to "move deliberately" and we need to move forward and listen to all stakeholders. Lester said that this is the "prescoping" or the "planning" phase and this is often a phase in other processes where there is no public involvement. Lester showed overhead transparencies showing the program elements, the program phases, and a schematic of the program schedule showing that the three phases cover from 1995 to 1999. There are 6 steps in phase 1 and we're right at step 5/6 according to Lester. Lester again reviewed how we took the 4 conflict areas and generated the 32 starting points and how that got us to the 100 or so "boundary" or "preliminary" alternatives which were subsequently narrowed down to 20 and now 10. Lester says the alternatives that have been developed emphasize either "system modification" or "system reoperation" and some are a mix of both. Lester mentioned the workshop scheduled in April and discussed the process in the final narrowing of the alternatives from 10 to 3 - 5.

Lester then discussed the comment review process. He emphasized that it is important to do the "long-term fix" (ie do it right) but at the same time we hear comments to the effect that "we can't afford much". Lester says we're in the process of preparing a "vision" for each alternative. Also, some people weren't satisfied with "core actions" so we created something new called "essential elements". Also, the need to address upstream watershed management was discussed.

Some questions were directed at Lester. Hap Dunning wondered if we have the "foundation" with our present alternatives set to keep moving forward at our present speed. Lester says we need to keep moving forward so that everyone stays engaged in the process but not so fast that we lose people along the way. Alex Hildebrand indicated that there is major concern about issues among the BDAC council and these concerns need to be resolved. Alex is bothered by an apparent notion in the alternatives that agriculture is dispensable in reference to so much land being slated for retirement as a water reduction measure. Alex says there'll be 50 million people in California in the future and we'll need to feed them and he feels it is short sighted to suggest that so much land be taken out of production. Sunne indicated that we would try and address everyone's concerns but first Judy Kelly would give a presentation on the

comments that have been received.

General Nature of Comments Received

Judy said that we've received a lot of comments between the start of the year and the public meeting in Fresno, the BDAC meeting on 2-15, and the fifth CALFED workshop on 2-26. Judy organized the comments into categories including process/policy, ecosystem restoration, water supply, water quality, system reliability, and the operation of the alternatives. As examples, there has been a lot of concern about ecosystem restoration. Water supply comments include comments on demand management to water transfers. Comments on water quality tend to indicate that people don't think we're doing enough for water quality in the alternatives. Comments on system reliability indicate that some people think that all levees should be brought up to the Public Law 99 standard.

BDAC Discussion of the Comments

Lester says that some comments have resulted in some alternatives being changed. Some comments are related to a fundamental policy issue and cut across all the alternatives. Hap discussed a letter from the Environmental Water Caucus. Lester said that there should be "work groups" formed to address specific issues. Roberta Borgonovo said we're still working on the "vision" and wondered if there would be time for input before getting to the short list of 3-5 alternatives. Hap said there hasn't been an adequate capturing of essential elements and we're still moving forward.

Break For Lunch

Public Comment

Before lunch, Ed Petry from the City of Mendota had agreed to hold his comments until after the lunch break. He expressed concern about none of the alternatives doing enough for the upper San Joaquin River. Ed says the pollutants that are dumped into the river end up in the water supply for the City of Mendota. The problems for Mendota are a little different than those for some other communities like Firebaugh because the San Joaquin River pollutants get into the city's aquifer and not in some other communities. Taking the water from the aqueduct isn't the answer either because it's expensive and still needs to be treated. Ed can remember when the city used to pump the water and drink it directly. Ed says the answer is to supply more flow to the San Joaquin River by raising a dam and that would benefit everyone. Also, it is necessary to clean up the pollutants at the source. Ed says serious attention should be given to buying out land in the vicinity of Mendota and paving it so that industries that the farmers normally ship their crops to for processing can be relocated there and not other places upstream which doesn't make any sense. Further, the industries should keep their discharges clean by using reverse osmosis techniques and such.

Financial Strategy

Zack gave a short overview of the financial strategy for the alternatives and indicated a

work group containing BDAC members had been formed and would convene shortly for their first meeting. The results of the work group would then become a presentation topic. Bob Raab discussed how Senator Costa said we should think of the Delta as a "utility" and then go to user fees. Pat McCarty said we need to know up front what things will cost before we decide what to do. Mary Selkirk mentioned habitat strategy as it relates to financing and how it is important not to narrow and eliminate ideas but rather to refine and improve.

Water Transfers

Lester began a discussion of water transfers and noted that, if there are only negative impacts, then they should get taken out of the alternatives. There may be impacts on local communities which may not be represented. There was discussion among the BDAC council about "third party impacts" with water transfers and it was noted that there are examples when water transfers can be successful. Alex again discussed the effect on the agriculture industry and the consequences on the food supply of taking land out of production. Tib Belza discussed "user-initiated water transfers". Bob Raab discussed how water transfers are looked upon as permanent solutions when they shouldn't be. Raab noted that the State Water Resources Control Board (SWRCB) should look at water rights holders for possible adjustments in those rights. Michael Mantell commented that the SWRCB is looking into water rights issues as it relates to allocations of riparian and appropriative rights as a result of the signing of the 12-94 Delta Accord. Roberta discussed conjunctive use and the need to do further exploration of it. Mantell discussed the DWR program to buy up impaired ag/drainage land in the San Joaquin Valley. Roger Patterson noted the CVPIA focused on impaired drainage land. There was discussion about a coordinated linkage between the federal/state programs. Sunne asked about the number of acres of land that were proposed for retirement and Mantell thought the number was around 70,000 acres and nothing close to the 800,000 acres discussed in the CALFED alternatives. The program is voluntary and requires a willing seller. Alex says the SWRCB has little jurisdiction over the 1914 water rights holders and some differences about what you hear are due to listening to people from "water-rich" areas up north as opposed to "water-poor" areas. Judith Redmond said the 800,000 acres proposed for retirement in the alternatives means there has to have been some recognition of the impacts from retiring that much land. There was then a discussion on soil types and Class 1 and Class 2 soils and how it is important to protect the best soils. Alex agreed but he said it's not enough to look just at the soil type but one also has to look at whether or not a particular farm is financially solvent as well as the distance to market. Stu Pyle said lots of water transfers go on now and one may want to track recent developments. Pat McCarty discussed how we have 250 food and fibre crops at this time and some of the water saving proposals may result in California becoming a "40-crop" state. All of this discussion led to Mantell noting there should be additional work groups formed in addition to the financial strategy work group and the ecosystem work group that Mary Selkirk agreed to chair.

Lester finished the discussion on water transfers by showing some overheads of water use from critical to wet years and noted that it is possible to couple transfers with storage to create benefits in a critically dry year. Also, one can skim flood flows to supplement low flow outflows.

Alternative Refinement Process

Steve Yaeger did an overview of the alternative refinement process. He discussed how the best features of the 20 alternatives were pulled out and combined to form the 10 alternatives that are in front of us so no concepts were actually lost. Even the "ship channel" alternative is still in there as a sub-alternative although one may have to look closely for it. Steve discussed the refinement process which included features such as performance assessment, solution principals, workshop comments, and so on. Steve noted the "staging" concept for the alternatives. Overheads were shown of how the alternatives performed for various things like aquatic habitat, water supply, species of interest, wetland and upland habitat, vulnerability, Delta drinking water quality, agricultural and industrial water quality, water uncertainty, and so on. According to Steve, the performance was an objective evaluation done by using professional judgment and it is used to further refine the alternatives and not to screen among them. Sunne had questions about lined versus unlined water conveyance facilities and whether or not that was accounted for in the performance. Steve said that would be looked at in more detail later although there could be a mix of lining and unlining in different alternatives. Ann Notthoff asked about the assumptions that were built into the alternatives and whether they would be divulged and Steve said there would be more discussion later as the alternatives were further refined. Don Bransford said that results are being shown when we don't have a baseline and Steve said the baseline would be conditions as they are "now". Steve showed an overhead that showed the range of costs during the seven stages. Costs range up to 25 billion but are phased over several years. Linda, an assistant for Senator Costa, took the podium and noted that some features of the proposed Senate Bill 900 being authored by Senator Costa may end up paying for some of the core actions but that more information would come later when the drafting committee finishes their work on the bill.

Lester discussed the no-action and the base case alternative and the differences between the two and how CALFED is getting ready for them in Phase 2. Rick Breitenbach took the podium and explained the differences as he saw them and said the base case will be existing conditions and the no-action will include future conditions in the absence of the CALFED project.

Finish With Public Comments

Jim Blake, Metropolitan Water District - Jim says we need to look at the "long-term fix" and not get hung up on costs. MWD does not look at water transfers as a long-term solution. With respect to water transfers, MWD recognizes "spot", "option", and "contract" water transfers. MWD has interests in the Bay-Delta and need low TDS water. The future demand for MWD is expected to increase 1 million acre-feet by the year 2010. Blake supports demand management being a core action but noted that MWD is already doing a lot of it and will achieve a 730,000 acre-feet per year savings by the year 2010. Therefore, any proposed CALFED water transfers would be in addition to what MWD is already doing. MWD has only had three days to review the alternatives set but has already come up with "preliminary" benefits and concerns for each of them.

John S. Mills, Regional Council for Rural Counties (RCRC) - Mills represents smaller

counties throughout California. RCRC supports CALFED and appreciates the public input but thinks it is important to look all the way up the watershed even if our fix is in the middle part of the system. He emphasized "watershed management". There is a watershed management program being initiated by the Regional Water Quality Control Board (RWQCB) and Mills thinks that program should be integrated into the CALFED process.

Gary Bobker, Environmental Defense Fund - Gary stressed that the assumptions be made more explicit. Flow and water quality issues, if considered, would possibly change conclusions. Also, attention need to be given to resolving the level of detail and what it is going to take to get it done.

Mark Kelley, CALFED - Mary outlined the scoping meetings that will be conducted throughout the State next month and noted the purpose of the meetings is to gather information on what should be included in the environmental process. She also reminded everyone of the April 15 workshop. There will be another mailing before the scoping meetings and the alternatives may be a little different because of the constant refinement that is occurring.

Inky Brennan, Antioch, CA - Mr Brennan talked about the agricultural waste that is being dumped into the San Joaquin River and how it ends up in the Antioch water supply. He discussed warnings about restrictions on how much fish one should eat now because of the polluted water. Brennan says we need to address the problem at the source and he targeted the agriculture along the Interstate 5 corridor in particular. Large amounts of pesticides are dumped into canals by those farmers and they end up in the San Joaquin River. It is not right for people to have to give up fishing way downstream so that the farmers over there can have their own way. The farmers are not being regulated by the feds or the state for their discharges. He suggested a process where the farmers who are the most current to come on board with their crops would be the first to be forced to retire their lands (ie "last in are first out").

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